

ACT 299

ACCREDITATION, COMPLIANCE, AND LICENSING COMMITTEE REPORT

BACKGROUND

The Accreditation, Compliance and Licensing Committee is one of several subcommittees formed pursuant to ACT 299 of the Regular Legislative Session of 2011 as part of the Department's comprehensive plan regarding the quality of services provided to individuals receiving home and community-based services (HCBS).

GOAL

The overarching goal is to improve compliance of HCBS providers with state regulations and other federal requirements pertaining to providers of services to waiver recipients and for all recipients of home and community-based services regardless of payor source.

- Ensure the publication of new HCBS licensing regulations.
- Analyze issues related to accreditation of HCBS providers and offer recommendations

STRATEGY AND RECOMMENDATIONS

A stakeholder group was convened to consolidate licensing regulations of all home and community-based agencies into one licensing rule. The consolidated licensing regulations for the Minimum Licensing Regulations for Home and Community-Based Service Providers was published as both an Emergency Rule and as a Notice of Intent in the June 20th, 2011 Edition of the Louisiana Register. A public hearing was held in July 2011 following the publication and there were many comments to the rule received. The stakeholder group has continued to meet to review each submitted comment to determine if there are salient points that would require the rule to be changed prior to the publication of a final rule.

In the newly published Minimum Licensing Regulations an HCBS provider is allowed to request deemed status if the provider has valid accreditation. Currently, accreditation is an option for HCBS providers. It is acknowledged that only a handful of the hundreds of HCBS agencies have accreditation.

Comments regarding the benefits of accreditation were solicited from two of the few HCBS providers that are accredited. The following are notable comments supporting the consideration for requiring accreditation of HCBS providers:

- Accreditation standards are designed to enhance quality, effectiveness and efficiencies
- Accreditation standards are focused on accountability and adherence to the provider's mission statement

- Accrediting organization focuses on leadership structure, diversity, responsibility and compliance
- Accrediting organizations offer ideas for management regarding design of organizational structures and financial systems that promote business efficiencies and produce consumer satisfaction
- Accreditation standards require comprehensive documentation that demonstrates accountability, positive outcomes, and person-centered approach to the provision of services
- Accreditation allows the provider to be identified as an organization that meets internationally developed standards in the provision of quality services.
- Promotes confidence on the part of the persons seeking such services for themselves or family members.
- Promotes confidence on the part of funding sources, referral agencies, other providers, businesses, community leaders, and community resource and service organizations.
- Guidance is available in the form of standards for providing high-quality services, implementing strategies for quality improvement, and developing specific policies and procedures in all areas, from the organizational structure to daily routines.
- Objective program expectations and guidelines are common to all accredited organizations and that are free of inappropriate influences such as political pressure or individual bias.
- Evidence through outcomes and documentation show that tax dollars are being used effectively, which relieves federal, state, and local governments of the need to evaluate organizations receiving governmental funding for programs.
- Documentation that meets accrediting body standards can be used in marketing services to consumers and referral sources, in seeking grants, in conducting fund-raising events, in advocacy activities, and in public education.
- The comprehensive documentation required provides feedback for improving existing services and developing new and needed services.
- Accreditation gives ideas for management in designing and implementing organizational and financial systems that are well organized, cost-efficient, effective, and based on outcomes and consumer satisfaction.
- The accrediting organization gives continuing support through consultation, publications, conferences, special training sessions and newsletters.

RECOMMENDATIONS

- Provide incentives for HCBS providers to seek accreditation such as:
 - ◆ Consider enhanced rate
 - ◆ Set accredited providers apart from other providers on the Medicaid freedom of choice list so that they are easily identified as a provider recognized for quality services
 - ◆ Develop performance measures so that data can be collected on accredited providers to see if compliance is better than for non-accredited providers. This will assist the department in determining whether it is beneficial to mandate accreditation for all HCBS providers
 - Number and nature of deficiencies
 - Number and nature of complaints

DELIVERABLES AND TIMELINES

June 20, 2011 - The consolidated licensing regulations for the Minimum Licensing Regulations for Home and Community-Based Service Providers was published as both an Emergency Rule (ER) and as a Notice of Intent (NOI) in the June 20th, 2011 Edition of the Louisiana Register.

July 1, 2011- The ER of the Minimum Licensing Regulations for Home and Community-Based Service Providers became effective this date.

October 1, 2011 – Health Standards Section began enforcing the ER of the Minimum Licensing Regulations for Home and Community-Based Service Providers this date.

January 2012 – publication of The Minimum Licensing Standards for Home and Community-Based Service Providers as a FINAL Rule.

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